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Dated: 3-1-2004 Signature: Rhea Amid
(Rhea Amid)

Docket No.: 204372000901
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lynn E. SPITLER et al.

RECEIVED

Application No.: 09/764,546

Art Unit: 1642

MAR 08 2004

Filed: January 17, 2001

Examiner: S. Unger

For: THERAPEUTIC PROPERTIES OF
LIPOSOME-ENCAPSULATED
IMMUNOMODULATORS

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

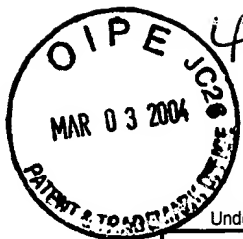
MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated November 28, 2003 in connection with the above-identified application. A response to this action was due on February 28, 2004. As February 28, 2004 is a Saturday, it is believed this response is timely filed on the next business day, Monday, March 1, 2004. Applicants have given careful consideration to the grounds for rejection as contained in the Office Action, and following remarks are offered in response. Reconsideration is respectfully requested.

Also included herein is the following Exhibit:

Exhibit A: Ann M. Berger and Thomas J. Kilroy, "*Oral Complications*" in CANCER: PRINCIPLES AND PRACTICE OF ONCOLOGY (De Vita, Jr., et al., Eds. 6th ed. 2001).



1642

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/764,546	
	Filing Date	January 17, 2001	
	First Named Inventor	Lynn E. SPITLER	
	Art Unit	1642	
	Examiner Name	S. Unger	
Total Number of Pages in This Submission	7 + Ex A	Attorney Docket Number	204372000901

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ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply (6 pages)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Exhibit A
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Return postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks Customer No. 25225	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Laurie L. Hill, Ph.D. - 51,804
Signature	
Date	March 1, 2004

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